



October 9, 2023

The Honorable Sarah Netburn  
United States Magistrate Judge  
Southern District of New York  
Thurgood Marshall Courthouse  
40 Foley Square Room 430  
New York, NY 1000

Re: *Lynne Freeman v. Tracy Deebs-Elkenaney et. al.*, Case No. 22 Civ 2435 (LLS) (SN)

Dear Judge Netburn:

Plaintiff writes this letter to object to the improper unverified letters from Defendants Kim and Wolff, which she views as inappropriate, and to correct gross misrepresentations made by those letters.

Wolff makes unverified factual assertions and hearsay statements to this Court, and claims her stress is so great she is having difficulty writing. Yet she has completed and published *three voluminous books of 600 pages or more* in the 18 months since this litigation began: *Charm* November 2022; *Cherish*, May 2023; and *Star Bringer*, July, 2023, which is book one of a three book series. And Wolff is working on three more books: *Rising Shadow*, *Sweet Vengeance* (a spinoff of the *Crave* series) due for release January 2024, and *Running for the Hills*, due August, 2025. She is therefore, in fact, working on multiple books in multiple series at the same time<sup>1</sup>.

Wolff confusingly (and speculatively) suggests that if the Court accepts Plaintiff's proposed schedule modification, which is only 48 days more than Defendants' proposal,<sup>2</sup> then "that is another 6 months in which the public will assume defendants have done something wrong. I

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<sup>1</sup> <https://www.goodreads.com/book/show/57939567-charm>;  
<https://www.goodreads.com/book/show/60136526-cherish>;  
[https://www.goodreads.com/book/show/61431958-star-bringer?from\\_search=true&from\\_srp=true&qid=H7oMEWpOMT&rank=1](https://www.goodreads.com/book/show/61431958-star-bringer?from_search=true&from_srp=true&qid=H7oMEWpOMT&rank=1);  
<https://www.goodreads.com/book/show/57986241-sweet-vengeance>;  
[https://www.goodreads.com/book/show/57693271-running-for-the-hills?from\\_search=true&from\\_srp=true&qid=lbcO5r4CDa&rank=1](https://www.goodreads.com/book/show/57693271-running-for-the-hills?from_search=true&from_srp=true&qid=lbcO5r4CDa&rank=1)

<sup>2</sup> Plaintiff's prior letter erroneously indicated it was a 90-day difference, it is in fact only 48.

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will continue to lose even more opportunities.” But as noted above it does not appear Wolff has lost any opportunities, and in no one is asking for another 6 months.

Wolff claims this case has been “financially detrimental” to her but fails to say how. Plaintiff understands that [REDACTED] and there is no objective indicia of any lost sales or income as a result of this case. To the contrary, it appears that *Star Bringer* was a significant deal, meaning the author advance was \$250,000 to \$499,000. The audio rights were an additional \$100,000-\$249,000. The *Crave* series alone was grossing well over \$20 million a year ago.<sup>3</sup> It is telling that Wolff provides no specifics regarding the “financial detriment” to her and no affidavit under penalty of perjury attesting to any such detriment. The *Crave* series is Wolff’s first major commercial and financial success, and due to these books, she is now making more money than she ever earned before.

Ms. Kim complains that she doesn’t have insurance to pay her legal bills, but as this Court knows it has been counsel for Wolff that has been driving the defense in this case. And it is Plaintiff who has been pushing throughout this litigation to avoid unnecessary expenses and delay, and the cost and emotional burden to Plaintiff has certainly exceeded the burden to any Defendant. That hardship provides no justification to deprive any party of the time reasonably necessary to properly address the merits of this case. Notably, the defendants did not complain or make any effort to reduce the four-month extension they received in this case to rebut Plaintiff’s expert witnesses. Defendants’ unverified letters to the court should therefore be stricken from the record.

Respectfully submitted,

**Reeder McCreary, LLP**




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<sup>3</sup> Until this litigation began, Emily Kim posted all of Wolff’s book sales on Publisher’s Market Place, *except for the Crave series*, which she tellingly did not post because Freeman found Kim as an agent on Publisher’s Market Place. There have been no new sales posts for Wolff’s writing at all, and the one that was posted on Publisher’s Market Place, *Starbringer*, was deleted immediately. It was posted, on May 6, 2023, and was deleted several days later.

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cc: All counsel of record (via ECF)